

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND MAY BE DIFFERENT FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD RECORDED AND NOT RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED. PROPERTY OWNER OR PERSON ORDERING THE SURVEY IS RESPONSIBLE TO CONTACT CLOSING ATTORNEY OR TITLE COMPANY FOR A FULL TITLE SEARCH AND COMMITMENT INCLUDING ALL THE EXCEPTIONS.
5. SURVEY LAND EXPRESS, INC IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, TELEPHONE CONVERSATION WITH ZONING OFFICE AT THE COUNTY OR CITY, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.
6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS, ENTITY.

**Z-2
(2017)**

SPECIAL NOTES

THIS SURVEY PLAT OF EXISTING CONDITIONS ON THE PROPERTY MUST BE USED AS A SINGLE STAND ALONE DOCUMENT. CAN NOT BE SCANNED AND ALTERED. CROPPED OUT COPY/DATE OR MODIFIED WITH SURVEYOR LAND EXPRESS TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE. THIS SURVEY PLAT CAN BE ONLY ATTACHED AS A SEPARATE DOCUMENT BY ITSELF TO DEVELOPMENT PROJECTS AND SITEPLANS AND CAN NOT BE INSERTED WITH SURVEYOR LAND EXPRESS TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE TO SOME OTHER DEVELOPMENT PROJECTS PREPARED BY ANY OTHER PARTY WITHOUT WRITTEN APPROVAL AND ORIGINAL BLUE INK SIGNATURE OF THE SURVEYOR OF RECORD.

ZONING NOTE:

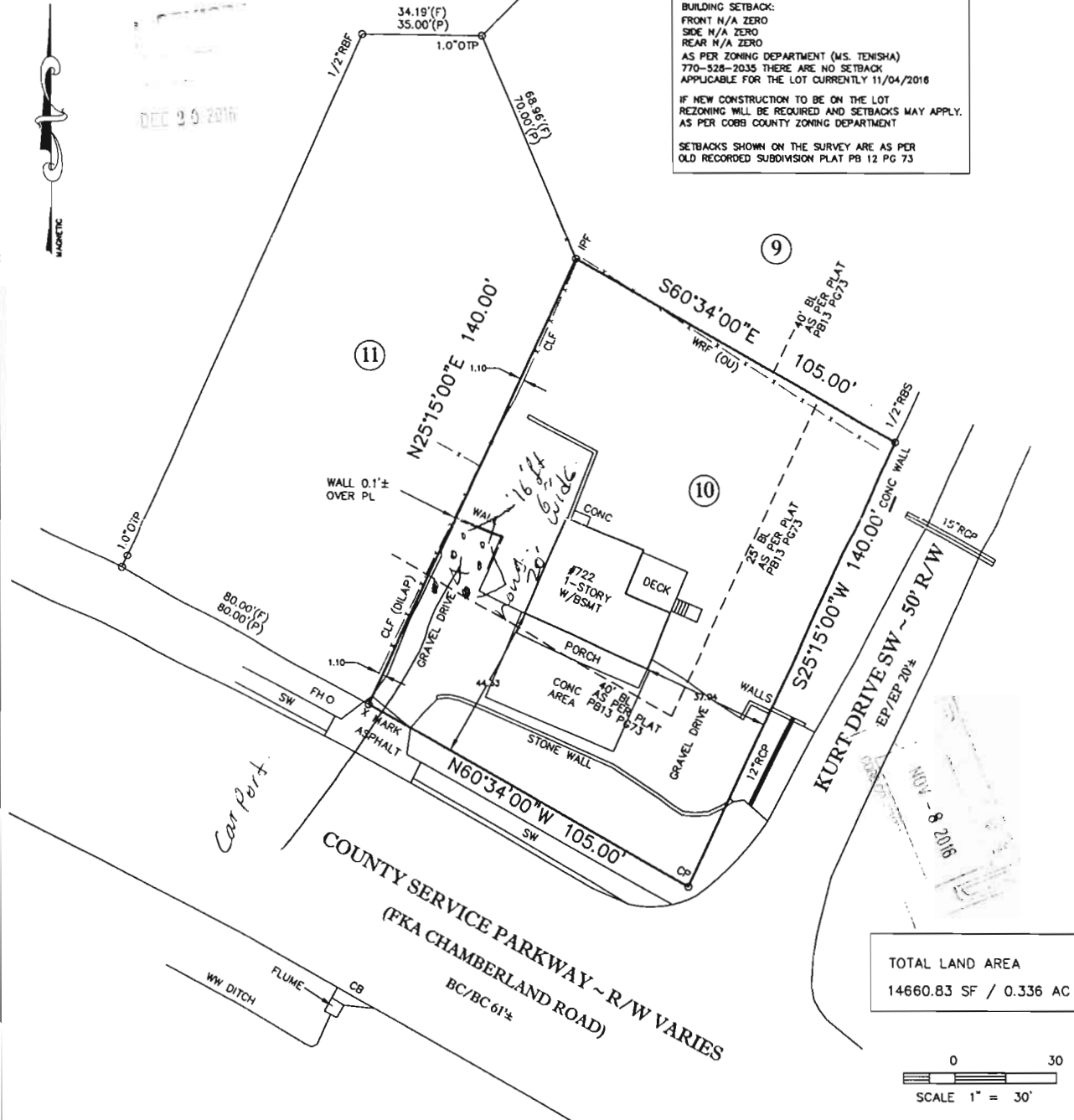
BEFORE DEVELOPMENT OF THIS PROPERTY, DEVELOPER AND ARCHITECT TO CONFIRM ZONING DISTRICT, PER ZONING DEPARTMENT.

PROPERTY IS ZONED CF COMMERCIAL FUTURE

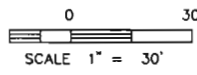
BUILDING SETBACK:
 FRONT N/A ZERO
 SIDE N/A ZERO
 REAR N/A ZERO
 AS PER ZONING DEPARTMENT (M.S. TENISHA) 770-528-2035 THERE ARE NO SETBACK APPLICABLE FOR THE LOT CURRENTLY 11/04/2016

IF NEW CONSTRUCTION TO BE ON THE LOT REZONING WILL BE REQUIRED AND SETBACKS MAY APPLY. AS PER COBB COUNTY ZONING DEPARTMENT

SETBACKS SHOWN ON THE SURVEY ARE AS PER OLD RECORDED SUBDIVISION PLAT PB 12 PG 73



TOTAL LAND AREA
14660.83 SF / 0.336 AC



LOT 10	BLOCK D
SUBDIVISION W.L. COLE	UNIT
LAND LOT 60	17TH DISTRICT 2ND SECTION
COBB COUNTY, GEORGIA	PB.12/PG.73 DB.14756/PG.6333
FIELD WORK DATE OCT 25, 2016	PRINTED/SIGNED OCT 28, 2016
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	PAPER SIZE: 11" x 17"

PLAT PREPARED FOR: SHEET 1 OF 1

LUCIO ARVIZU

PROPERTY ADDRESS:
722 KURT DRIVE SW
MARIETTA GA 30008



COORD #20162005
DWG #20162005

SURVEY LAND EXPRESS, INC
LAND SURVEYING SERVICES

70 LENOX POINT
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-5747
INFO@SURVEYLANDEXPRESS.COM

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND ACCURACIES OF LAW.

APPLICANT: Lucio Arvizu Rodriguez

PHONE#: (770) 722-7691 **EMAIL:** N/A

REPRESENTATIVE: Lucio Arvizu

PHONE#: (770) 722-7691 **EMAIL:** N/A

TITLEHOLDER: Lucio Arvizu and Amalia Rodriguez

PROPERTY LOCATION: Northwest corner of County Services

Parkway and Kurt Drive

(722 Kurt Drive)

ACCESS TO PROPERTY: Kurt Drive and County Services Parkway

PHYSICAL CHARACTERISTICS TO SITE: One story house

PETITION NO: Z-2

HEARING DATE (PC): 02-07-17

HEARING DATE (BOC): 02-21-17

PRESENT ZONING: CF

PROPOSED ZONING: R-15

PROPOSED USE: Single-family Residence

SIZE OF TRACT: 0.336 acres

DISTRICT: 17

LAND LOT(S): 60

PARCEL(S): 54

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Cole W L Subdivision
SOUTH: R-20/ County Owned Property
EAST: R-20/ Cole W L Subdivision
WEST: R-20/ Cole W L Subdivision

Adjacent Future Land Use:

Northeast: Low Density Residential (LDR)
Southeast: Low Density Residential (LDR)
Southwest: Low Density Residential (LDR)
Northwest: Low Density Residential (LDR)

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

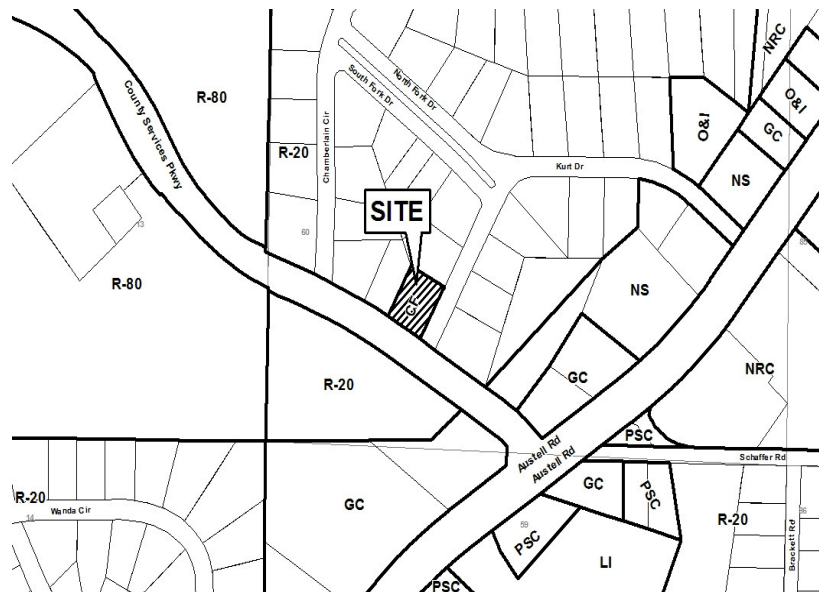
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

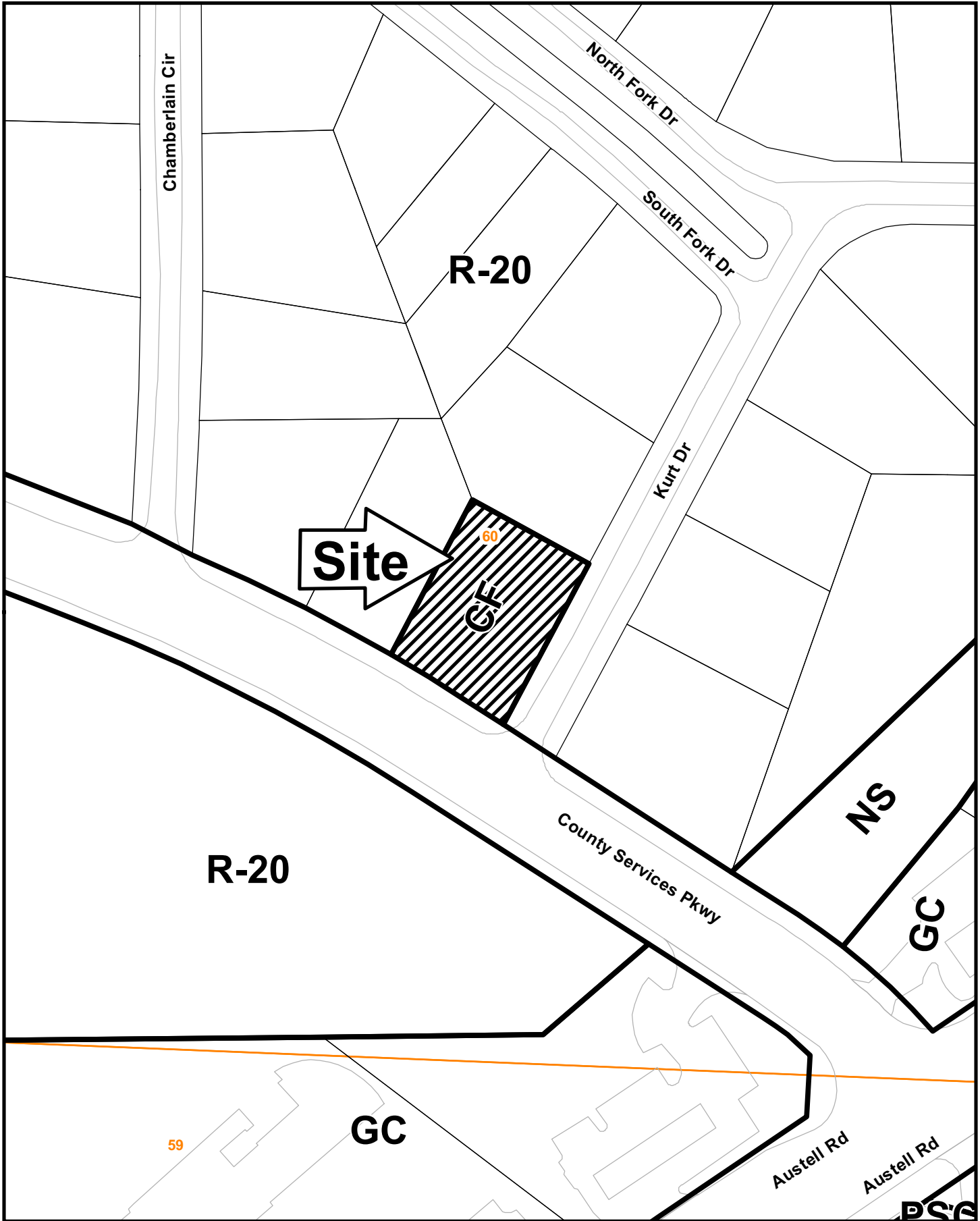
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

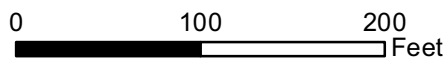
STIPULATIONS:





Z-2-2017 GIS



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

APPLICANT: Lucio Arvizu Rodriguez

PETITION NO.: Z-2

PRESENT ZONING: CF

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 1 **Overall Density:** 2.98 **Units/Acre**

Staff estimate for allowable # of units: 1 **Units*** **Increase of:** 0 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

The applicant is requesting a rezoning from the current CF future commercial district to the R-15 single-family residential district in order to make improvements to the property including the addition of a 16' x 20' accessory structure (carport). Though zoned CF district, the 0.3636 acre property has only been utilized for residential purposes with records showing that the current home was built around 1955. The rezoning, if approved, will remove the current "grandfathered" status of the property and allow for the proposed 320 square foot carport while also bringing the zoning in line with the current LDR low density residential future land use category.

If approved as presented, the following variances are required:

1. Waive the minimum lot size from the required 15,000 square feet to 14,660 square feet;
2. Waive the side setback for an accessory structure under 650 square feet (proposed 320 square foot carport) from the required 10 feet to zero feet along the western property line;
3. Allow an accessory structure (proposed 320 square foot carport) to be located to the side of the principle structure; and
4. Allow parking of vehicles on a non-hardened surface.

Cemetery Preservation: No comment.

APPLICANT: Lucio Arvizu Rodriguez

PETITION NO.: Z-2

PRESENT ZONING: CF

PETITION FOR: R-15

SCHOOL COMMENTS:

Approval of this petition will not have an impact on the enrollment at Cobb County schools.

APPLICANT: Lucio Arvizu Rodriguez

PETITION NO.: Z-2

FIRE COMMENTS:

NO COMMENTS: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Lucio Arvizu Rodriquez

PETITION NO.: Z-2

PRESENT ZONING: CF

PETITION FOR: R-15

PLANNING COMMENTS:

The applicant is requesting a rezoning from CF to R-15 for the purpose of single family residential. The 0.336 acre site is located in the northwest corner of County Services Parkway and Kurt Drive (722 Kurt Drive).

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Low Density Residential (LDR) future land use category, with CF zoning designation. The purpose of the Low Density Residential (LDR) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre. This category presents a range of densities.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

Northeast: Low Density Residential (LDR)
Southeast: Low Density Residential (LDR)
Southwest: Low Density Residential (LDR)
Northwest: Low Density Residential (LDR)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No
If yes, design guidelines area _____
Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone? Yes No
The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Smyrna-Osborne Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

APPLICANT: Lucio Arvizu Rodriquez _____

PETITION NO.: Z-2 _____

PRESENT ZONING: CF _____

PETITION FOR: R-15 _____

PLANNING COMMENTS:

CONT.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

Is this property within the Six Flags Special Service District?

Yes No

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Lucio Arvizu Rodriguez

PETITION NO. Z-002

PRESENT ZONING CF

PETITION FOR R-15

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): 6" CI / W side of Kurt Drive

Additional Comments: Existing water customer

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: 2,100' NW with easements

Estimated Waste Generation (in G.P.D.): A D F= +0 Peak= +0

Treatment Plant: South Cobb

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Dry Sewers Required: Yes No

Off-site Easements Required: Yes* No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Health Dept approval required for continued use of existing septic system (received in Oct 2016)
Comments:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: Lucio Arvizu Rodriguez

PETITION NO.: Z-2

PRESENT ZONING: CF

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

No substantial improvements are proposed. No comments.

APPLICANT: Lucio Arvizu Rodriguez

PETITION NO.: Z-2

PRESENT ZONING: CF

PETITION FOR: R-15

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
County Services Parkway	8,500	Major Collector	35 mph	Cobb County	80'
Kurt Drive	N/A	Local	25 mph	Cobb County	50'

Based on 2016 traffic counting data taken by Cobb County DOT for County Services Parkway.

COMMENTS AND OBSERVATIONS

County Services Parkway is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Kurt Drive is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Recommend removing and closing driveway apron along Kurt Drive frontage that development renders unnecessary.

Recommend driveway on County Services Parkway be paved with a treated hardened surface for a minimum of 25' from the edge of pavement or to the County right-of-way, whichever is greater in length.

STAFF RECOMMENDATIONS

Z-2 LUCIO ARVIZU RODRIGUEZ

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. This and surrounding properties have been and continue to be used for residential purposes. The request will only allow for further improvement and upkeep of the property.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The request will only result in the continued residential use of the property. However, as presented, with the approval of the rezoning, the applicant intends to construct an accessory structure (carport) to the left of the home along the western side. The proposed location indicates the structure sitting immediately adjacent to the property line rather than the Code-required 10 foot setback. Consideration should be given to this included variance request in light of the adjacent neighbor's concerns.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates this property to be within the LDR low density residential future land use category. The request seeks to ensure the existing and continued residential use of the property.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The request is necessary as the property's current zoning of CF future commercial places the residential property into a "grandfathered" status which disallows improvements such as those the applicant seeks. While the requested rezoning and lot size variance is reasonable, due consideration should be given to the request for the location of the carport and existing gravel parking.

Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:

1. Lot size variance for the currently existing 14,660 square feet;
2. Allowance of gravel drive off of County Services Parkway in compliance with DOT recommendations and with commensurate closure of drive on Kurt Drive;
3. Variances necessary for location of proposed carport to be authorized upon demonstration of support by the western neighbor and elevations of proposed structure being approved by the District Commissioner;
4. Fire Department comments and recommendations;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations; and
7. Department of Transportation comments and recommendations.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

Feb. 2017

Summary of Intent for Rezoning

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 1/2
 - b) Proposed building architecture: Residential / house
 - c) Proposed selling prices(s): N/A
 - d) List all requested variances: N/A
- _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): _____
 - b) Proposed building architecture: _____
 - c) Proposed hours/days of operation: _____
 - d) List all requested variances: _____
- _____

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).

N/A

